

CLERKS OFFICE U.S. DIST. COURT  
AT CHARLOTTESVILLE, VA  
FILED  
June 22, 2018  
JULIA C. DUDLEY, CLERK  
BY: /s/ J. JONES  
DEPUTY CLERK

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA**  
CHARLOTTESVILLE DIVISION

DAMIAN STINNIE, *ET AL.*,

*Plaintiffs,*

v.

RICHARD D. HOLCOMB, IN HIS OFFICIAL  
CAPACITY AS COMMISSIONER OF THE VIRGINIA  
DEPARTMENT OF MOTOR VEHICLES,

*Defendant.*

CASE NO. 3:16-cv-00044

ORDER

JUDGE NORMAN K. MOON

This case returned to the Court after the Fourth Circuit dismissed Plaintiffs' appeal for lack of appellate jurisdiction and remanded for the purpose of allowing amendment. *Stinnie v. Holcomb*, No. 17-1740, -- Fed. App'x --, 2018 WL 2337750 (May 23, 2018); *see* 28 U.S.C. § 1653. Accordingly, Plaintiffs are **GRANTED** leave to amend or clarify, within 21 days, any fact, claim, party, or theory in their complaint, including whether their suit presents facial or factual challenges (or both) to the statute at issue. The Court observes that this case (although pending for nearly two years) remains in a preliminary stage, and the parties were in the midst of discovery prior to the appeal. Accordingly, the substantive provisions of the pretrial order (dks. 11, 19) are **REINSTATED**. The parties are **ORDERED** to meet and confer within 30 days of this Order for the purpose of establishing a trial date from which to calculate the deadlines in the pretrial order. The parties may recommence discovery after the filing of the amended complaint.

The Clerk of the Court is requested to send a copy of this Order to all counsel of record.

Entered this 22<sup>nd</sup> day of June, 2018.

  
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NORMAN K. MOON  
SENIOR UNITED STATES DISTRICT JUDGE